IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

Con.Case(C).No. 116 of 2007(S)

AGAINST THE JUDGEMENT IN OP.34236/2002 Dated 05/10/2006
.....

PETITIONER/PETITIONER OP.

T.K.SOMAN, (RETIRED AMALGAMATED SUB
REGISTRAR, ALAPPUZHA, S/O.KOCHAPPU, AGED 60 YEARS,
HOUSE NO. 165, GIRI NAGAR, KOCHI 682 020.

BY ADV. SRI.B.K.PURUSHOTHAMAN
SRI.B.V.BALAKRISHNAN

RESPONDENTS:

A.K.RAMAKRISHNAN, FATHERS NAME AND AGE
NOT KNOWN TO THE PETITIONER, INSPECTOR GENERAL OF
REGISTRATION, KERALA, P.O.VANCHIYOOR,
THIRUVANANTHAPURAM.

BY SENIOR GOVERNMENT PLEADER SRI M.R.SABU

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

Cont. Case (C) No.116 of 2007

Dated, this the 2nd day of July, 2007

JUDGMENT

H.L. DATTU, CJ.

This court while disposing of O.P.No.34236 of 2002 dated 5.10.2006 had issued the following directions. The same is as under:

> "2. There will be a direction to the respondents to release the entire gratuity due to the petitioner within a period of three months from today, since no liability has been fixed within a period of three years. The DCRG also carry interest at the rate of 8%. The other eligible service benefits including fixation of pay, increments, benefits under the Insurance Scheme shall also be fixed within the said period."

2. The complainant is before us in this contempt petition inter alia contending that the respondent had not complied with the positive directions issued by this court and thereby had disobeyed the orders and directions issued by this court. Accordingly, the petitioner complained before us to initiate contempt proceedings.

3. After service of notice the respondent has entered appearance. He has also filed his counter affidavit.

4. At the time of hearing of this petition Sri Sabu, learned senior Government Pleader, produced before us the orders passed by the State

Government and the consequential orders passed by the Inspector General of Registration, Kerala, dated 6.1.2007.

5. After going through the orders passed by this court, the assertion made by the complainant and the counter affidavit filed by the respondent, we are of the firm opinion that there was substantial compliance with the orders and directions issued by this court by the respondent. Therefore, these proceedings need not be continued further. Accordingly these proceedings are dropped. However, liberty is reserved to the petitioner to question the correctness or otherwise of the orders passed by the State Government dated 4.1.2007 and the orders passed by the respondent dated 6.1.2007 before appropriate forum by filing appropriate petition. Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

mt/DK